



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Russell Javors

Serial No.

To be assigned (Continuation of 08/892,374)

Filing Date:

February 3, 2000

Title

TOY WITH REMOTELY CONTROLLED SECURITY ALARM

Assistant Commissioner for Patents Washington, D.C. 20231

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(d) & MPEP § 708.02 VIII

Sir:

This is a petition to make the above-identified application special under 37 C.F.R. § 1.102(d) and MPEP § 708.02 VIII, Special Examining Procedure For Certain New Applications - Accelerated Examination. Please charge the petition fee of \$130 required by 37 C.F.R. § 1.17 (i) and any additional fees, or any fee deficiency, that may be required to enter and process this Petition to Deposit Account No. 02-4270.

Claims Directed to a Single Invention

The applicant is prepared to make an election of claims without traverse by

02/14/2000 KHARLING 00000041 024270 09497244
telephone to applicant's attorney should the Office require restriction.

03 FC:122 130.00 CH

Pre-Examination Search

The patents listed in Exhibit A were identified by a computer database search of the USPTO full text patent database in classes 340 and 446 (all subclasses) using the key words "toy" and "alarm". U.S. Patent Nos. 5,861,808, 5,801,629, 5,777,554 and 5,721,532 (all of Lehmann et al.) are listed on the enclosed Information Disclosure Citation form, and a copy of each is enclosed.

The other references listed on the enclosed Information Disclosure Citation form were cited during prosecution of parent application Serial No. 08/892,374.

For examination convenience, copies of all documents listed on the enclosed citation form are enclosed.

Discussion of References and Claims

The application includes three independent claims, claims 2, 24 and 30.

Independent claims 2, 24 and 30, among other things, recite that the controller is responsive to a signal input to at least one input of the controller to cause the security alarm device to selectively assume the armed and unarmed states, where the controller causes the signaling device to provide an audio or visual alarm signal with a change in the state of the security alarm device between the armed state and the unarmed state. This is not disclosed in any of the documents listed on the enclosed citation form.

Closing

It is submitted that all requirements set forth in 37 C.F.R. § 1.102 and MPEP § 708.02 II have been met for granting this petition. Accordingly, it is requested that this petition be granted.

Dated: February 3, 2000

Frank J. DeRosa Reg. No. 26,543 BROWN RAYSMAN MILLSTEIN FELDER & STEINER LLP 120 West Forty-Fifth Street New York, New York 10036 (212) 944-1515

Express Mail No. EK510832850US